

REMARKS

Claims 1-39 remain pending in the application, with claims 32-35 and 37-39 withdrawn from consideration because of a Restriction Requirement.

Claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24, 25 and 36 over Ramasubramani in view of Ogle

In the Office Action, claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24, 25 and 36 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,507,589 to Ramasubramani et al. ("Ramasubramani") in view of U.S. Patent No. 5,983,281 to Ogle ("Ogle"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24 and 25 recite a system and method relying on a protocol gateway to encapsulate a fundamental network protocol underlining each of one or more wireless network protocols, wherein the protocol gateway is clustered with at least one other protocol gateway for at least one of redundancy, scalability, and load balancing.

The Examiner alleged that Ramasubramani disclosed the use of encapsulation at col. 5, lines 42-48 and col. 15, lines 1-12. However, a reading of Ramasubramani's entire disclosure, and particularly at col. 5, lines 42-48 and col. 15, lines 1-12, fails to reveal that Ramasubramani discloses use of encapsulation (a term of art) for any purpose, much less encapsulation of a fundamental network protocol underlining each of one or more wireless network protocols, as recited by claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24 and 25.

Moreover, a reading of Ogle's entire disclosure fails to reveal that Ogle disclose use of encapsulation (a term of art) for any purpose, much less encapsulation of a fundamental network protocol underlining each of one or more wireless network protocols, as recited by claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24 and 25.

Thus, Ramasubramani in view of Ogle fails to disclose or suggest use of encapsulation (a term of art) for any purpose, much less encapsulation of a fundamental network protocol underlining each of one or more wireless

network protocols, as recited by claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24 and 25.

Moreover, claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24, 25 and 36 recite a system and method relying on clustering of a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address.

The Examiner acknowledged that Ramasubramani fails to disclose a protocol gateway that is clustered with at least one other protocol gateway for at least one of redundancy, scalability, and load balancing (see Office Action, page 3). The Office Action relies on Ogle to allegedly make up for the deficiencies in Ramasubramani to arrive at the claimed features. The Applicants respectfully disagree.

Ogle appears to disclose load balancing between a plurality of gateways (see col. 2, lines 33-53). However, Ogle discloses a protocol gateway that receives a communication from a network computer and determines from an address contained in the communication which gateway to route the communication to (see Ogle, col. 2, lines 33-40). If the message is to be transmitted by another of the gateways, the first gateway may transmit a redirect communication to a source device identifying the gateway through which the message is transmitted so that subsequent communication will be directed transmitted to that gateway (see Ogle, col. 2, lines 40-53).

Thus, Ogle, discloses one gateway transferring a communication to another gateway for servicing or alternately instructing a source device which gateway to communicate with. Ogle fails to disclose or suggest clustering a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24, 25 and 36.

Ramasubramani in view of Ogle would still fail to disclose or suggest clustering a plurality of protocol gateways for at least one of redundancy,

scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24, 25 and 36.

Accordingly, for at least all the above reasons, claims 1, 2, 6, 7, 11-14, 18, 19, 22, 23, 24, 25 and 36 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 3-5, 8-10, 15-17, 20, 21 and 26-31 over Ramasubramani in view of Ogle, Barzegar, Boyle, Kung and Boyle2

In the Office Action, claims 3-5, 15-17 and 26-29 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ramasubramani in view of Ogle and U.S. Patent No. 5,894,478 to Barzegar et al. ("Barzegar"), with claims 8, 10, 20 and 21 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ramasubramani in view of Ogle and U.S. Patent No. 6,119,167 to Boyle et al. ("Boyle"), with claim 9 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ramasubramani in view of Ogle and U.S. Patent No. 6,826,173 to Kung et al. ("Kung"), with claim 30 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ramasubramani in view of Ogle, Barzegar and Boyle, and claim 31 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ramasubramani in view of Ogle, Barzegar, Boyle and U.S. Patent No. 6,138,158 to Boyle et al. ("Boyle2"). The Applicants respectfully traverse the rejection.

Claims 3-5, 8-10, 15-17, 20, 21 and 26-31 recite a system and method relying on clustering of a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address.

As discussed above, Ramasubramani in view of Ogle fails to disclose or suggest a system and method relying on clustering of a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 3-5, 8-10, 15-17, 20, 21 and 26-31.

Barzegar appears to disclose use of redundancy in a router for maintenance (see col. 3, lines 30-45). However, Barzegar fails to disclose any type of redundancy for the disclosed network gateways, Fig. 1, item 106, much less disclose or suggest a system and method relying on clustering of a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 3-5, 8-10, 15-17, 20, 21 and 26-31.

Boyle appears to disclose a system and method relying on a single protocol gateway to interconnect the Internet to a wireless network (see Fig. 1, item 126). However, an entire reading of Boyle fails to reveal that Boyle has any applicability to a plurality of gateways, much less a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 3-5, 8-10, 15-17, 20, 21 and 26-31.

Kung appears to disclose a method of alerting a user of a variable bit rate communication between a first terminal and a distant terminal over alternative networks (see Abstract). Gateways (120) provide a central communication points for various types of network to interconnect (see Kung, Fig. 1). Servers are disclosed as having redundancy (see Kung, col. 8, lines 45-50) and an accounting gateway 240 is disclosed as having redundancy (see Kung, col. 17, lines 14-16). However, Kung fails to disclose or suggest clustering of gateways, much less clustering of a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 3-5, 8-10, 15-17, 20, 21 and 26-31.

Boyle2 appears to disclose a system and method of integrating wideband and narrowband channels so as to keep users informed of any updates to their desired information (see Abstract). However, an entire reading of Boyle fails to reveal that Boyle has any applicability to a plurality of gateways, much less a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single

virtual Internet Protocol (IP) address, as recited by claims 3-5, 8-10, 15-17, 20, 21 and 26-31.

Thus, Ramasubramani in view of Ogle, Barzegar, Boyle, Kung and Boyle2 would still fail to disclose or suggest a system and method relying on clustering of a plurality of protocol gateways for at least one of redundancy, scalability, and load balancing for access by a client application through a single virtual Internet Protocol (IP) address, as recited by claims 3-5, 8-10, 15-17, 20, 21 and 26-31.

Accordingly, for at least all the above reasons, claims 3-5, 8-10, 15-17, 20, 21 and 26-31 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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